



-415

Atty Dkt No. 8325-0002.221  
S2-US5  
USSN: 09/942,087  
PATENT

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on 03 - DECEMBER - 2001.

12/03/01  
Date

J. S.  
Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

CASE et al.

Confirmation No: 7166

Serial No.: 09/942,087

Art Unit: Unassigned

Filing Date: August 28, 2001

Examiner: Unassigned

Title: MODULATION OF ENDOGENOUS GENE EXPRESSION IN  
CELLS

**DECLARATION UNDER 37 CFR §1.825**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

I, Dahna S. Pasternak, declare and affirm as follows:

1. I am attorney for the applicant herein.
2. The diskette which accompanies this Declaration contains the required Sequence Listing.
3. The Sequence Listing recorded on said diskette (i.e., the computer-readable form) matches the hard copy of the Sequence Listing accompanying this Declaration, that is, the information recorded on the form is identical to the written Sequence Listing.

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4. The submission contains no new matter relative to the application as originally filed.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

Date: Dec 3, 2001

By: D. Pasternak  
Dahna S. Pasternak  
Registration No.41,411

ROBINS & PASTERNAK LLP  
90 Middlefield Road, Suite 200  
Menlo Park, CA 94025  
Telephone: (650) 325-7812  
Fax: (650) 325-7823



Atty Dkt No. S2-US5  
8325-0002.21

### DECLARATION FOR UTILITY PATENT APPLICATION

AS A BELOW-NAMED INVENTOR, I HEREBY DECLARE THAT:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if more than one name is listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: MODULATION OF ENDOGENOUS GENE EXPRESSION IN CELLS the specification of which

\_ is attached hereto  
X was filed on August 28, 2001

and assigned Serial No. 09/942,087.

I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE.

I acknowledge and understand that I am an individual who has a duty to disclose information which is material to the patentability of the claims of this application in accordance with Title 37, Code of Federal Regulations, §§ 1.56(a) and (b) which state:

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98.

However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated

through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - (i) Opposing an argument of unpatentability relied on by the Office,  
or
  - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

I do not know and do not believe this invention was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to said application. This invention was not in public use or on sale in the United States of America more than one year prior to this application. This invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on any application filed by me or my legal representatives or assigns more than six months prior to this application.

I hereby claim priority benefits under Title 35, United States Code § 119(e)(1) of any United States provisional application(s) for patent as indicated below and have also identified below any application for patent on this invention having a filing date before that of the application for patent on which priority is claimed:

<u>Application No.</u>	Date of Filing <u>(day/month/year)</u>	Priority <u>Claimed</u>
		Yes <u>  </u> No <u>  </u>

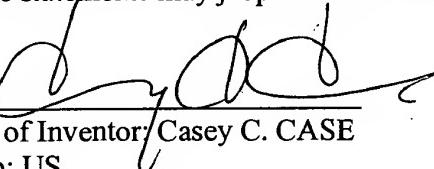
I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below, and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) and (b) set forth above which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.: 09/229,037

Filing Date: January 12, 1999

Status (patented, pending, abandoned): pending

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signature: 

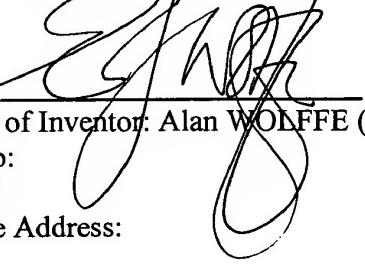
Date 10-19-01

Full Name of Inventor: Casey C. CASE

Citizenship: US

Residence: San Mateo, California

Post Office Address: 605 Barroilhet Avenue, San Mateo, California 94402

Signature: 

Date 10/19/01

Full Name of Inventor: Alan WOLFFE (deceased)

Citizenship:

Residence:

Post Office Address:

Signature: 

Date 10-22-2001

Full Name of Inventor: Fyodor URNOV

Citizenship: Russian Federation

Residence: Richmond, California

Post Office Address: 135 Lakeshore Court, Richmond, CA 94804

Signature: 

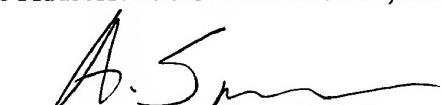
Date 10/22/01

Full Name of Inventor: Albert LAI

Citizenship: Canada

Residence: Richmond, California

Post Office Address: 238 Shoreline Court, Richmond, California 94804

Signature: 

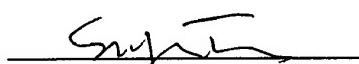
Date 10/19/01

Full Name of Inventor: Andrew SNOWDEN

Citizenship: United Kingdom

Residence: Richmond, California

Post Office Address: 3400 Richmond Parkway, Apt. 3624, Richmond, California 94806

Signature: 

Date 10/22/01

Full Name of Inventor: Siyuan TAN

Citizenship: Peoples' Republic of China

Residence: Alameda, California

Post Office Address: 52 Sea Bridge Way, Alameda, California 94502

Signature: 

Date 10/19/01

Full Name of Inventor: Philip GREGORY

Citizenship: United Kingdom

Residence: El Cerrito, California

Post Office Address: 1560 Douglas Drive, El Cerrito, California 94530



Atty Dkt No. 8325-0002.21  
S2-US5  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

CASE et al.

Serial No.: 09/942,087

Group Art Unit: 1631

Filing Date: August 28, 2001

Examiner: Unassigned

Title: MODULATION OF ENDOGENOUS GENE EXPRESSION IN CELLS

**POWER OF ATTORNEY BY ASSIGNEE**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

SANGAMO BIOSCIENCES, INC., assignee of the above-identified application by assignment (copy attached), hereby appoints Sean Brennan, Ph.D., Reg. No. 39,917; Roberta L. Robins, Reg. No. 33,208; Dahna S. Pasternak, Reg. No. 41,411; Gary R. Fabian, Ph.D., Reg. No. 33,875, and Narinder S. Banait, Reg. No. 43,482 as its attorneys/agents with full power of substitution to prosecute this application and to transact all business in the Patent and Trademark Office in connection therewith.

Atty Dkt No. 8325-0002.21  
S2-US5  
PATENT

Please address all further communications to Dahna S. Pasternak at the following address:

Customer No. 20855  
ROBINS & PASTERNAK LLP  
90 Middlefield Road, Suite 200  
Menlo Park, CA 94025  
Telephone: (650) 325-7812  
Fax: (650) 325-7823.

Date: 10-23-01



SANGAMO BIOSCIENCES, INC.  
Name: Peter Bluford  
Title: Vice President, Corporate Development

**Assignment of Rights, Title and Interest in Invention  
(Multiple inventors; single assignee)**

Docket No.  
8325-0002.21

*This is an Assignment of the following rights, title and interest: (check all that apply):*

- United States of America rights, title and interest in the invention*
- Foreign rights, title and interest in the invention*
- United States Patent Application Serial No. 09/942,087*

- Date of Execution:* \_\_\_\_\_ *Date of Filing:* 08/28/2001
- United States Provisional Patent Application Serial No.* \_\_\_\_\_
  - United States Patent No(s).* \_\_\_\_\_
  - International (PCT) Patent Application Serial No.* \_\_\_\_\_
  - Other (specify)* \_\_\_\_\_

*Title of the Invention*

MODULATION OF ENDOGENOUS GENE EXPRESSION IN CELLS

*Inventors (assignors)*

<i>Name</i>	<i>Address</i>
Casey C. CASE	605 Barriolhet Avenue, San Mateo, California 94402
Alan WOLFFE	Residence Not Provided, Deceased
Fyodor URNOV	135 Lakeshore Court, Richmond, California 94804
Albert LAI	238 Shoreline Court, Richmond, California 94804
Andrew SNOWDEN	3400 Richmond Parkway, Apt. 3624, Richmond, California 94806
Siyuan TAN	52 Sea Bridge Way, Alameda, California 94502
Philip GREGORY	1560 Douglas Drive, El Cerrito, California 94530

*Assignee*

<i>Name</i>	<i>Address</i>
Sangamo BioSciences, Inc.	501 Canal Blvd., Suite A100 Richmond, California 94804

**Assignment of Rights, Title and Interest in Invention  
(Multiple inventors; single assignee)**

Docket No.  
8325-0002.21

Whereas, we, the above-identified Inventors, have invented certain new and useful improvements in the Invention identified above and described in the above-identified patent application(s) and/or patent(s) (hereinafter referred to as "Invention");

And, whereas we desire to assign our above-identified rights, title and interest in the Invention to the above-identified Assignee;

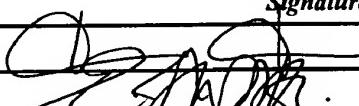
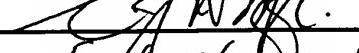
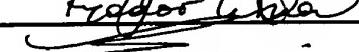
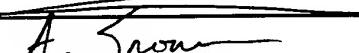
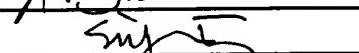
Now, this indenture witnesseth, that for good and valuable consideration, the receipt whereof is hereby acknowledged;

We hereby assign, sell and transfer our above-identified rights, title and interest in said Invention, said application(s) as identified above, including any divisions, continuations, and continuations-in-part thereof, and in and to any and all Letters Patent of the United States, and countries foreign thereto, which may be granted or have granted for said Invention, and in and to any and all reissues and reexaminations thereof, and in and to any and all priority rights, Convention rights, and other benefits accruing or to accrue to us with respect to the filing of applications for patents or securing of patents in the United States and countries foreign thereto, unto said Assignee;

And we hereby authorize and request the Commissioner of Patents and Trademarks to issue any United States Letters Patent which may issue for said Invention to said Assignee, as assignee of the whole right, title and interest thereto;

And we further agree to sign and execute all necessary and lawful future documents, including applications for foreign patents, for filing divisions, continuations and continuations-in-part of said application for patent, and/or, for obtaining any reissue or reissues of any Letters Patent which may be granted for my aforesaid Invention, as the Assignee or its Designee(s) may from time to time require and prepare at its own expense.

*Inventors' Signatures (if Notarization is desired, do not sign here and proceed to next page)*

Name	Signature/Date
Casey C. CASE	 10-19-01
Alan WOLFFE	 10/19/01
Fyodor URNOV	 10/22/2001
Albert LAI	 10/22/2001
Andrew SNOWDEN	 10/19/01
Siyuan TAN	 10/22/01
Philip GREGORY	 10. 19. 01



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant: Casey C. Case et al.Application No.: 09/942,087Filed: August 28, 2001Entitled: MODULATION OF ENDOGENOUS GENE EXPRESSION IN CELLSSangamo BioSciences, Inc., a Delaware corporation,

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

- the assignee of the entire right, title, and interest; or
- an assignee of an undivided part interest

in the patent application identified above by virtue of either:

A.  An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

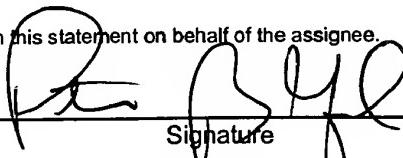
OR

B.  A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

 Additional documents in the chain of title are listed on a supplemental sheet. Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

10-23-01  
Date  
Signature  
Peter Bluford  
Typed or printed nameV.P. Corporate Development

Title

Small Entity Determination in the U.S. for the Case Entitled "MODULATION OF  
ENDOGENOUS GENE EXPRESSION IN CELLS" (Serial No. 09/942,087; Atty Dkt No. 8325-  
0002.21)

**PLEASE READ AND MAKE THE APPROPRIATE SELECTION**

Small entity according to U.S. Patent Office rules applies to patents owned by inventors, small business concerns with fewer than 500 employees, and non-profit organizations. If there is any assignment or license of rights, or obligation to assign or license rights to a large entity, i.e. a firm with more than 500 employees, then large entity applies.

- According to the above description, Sangamo BioSciences, Inc. is a small entity in the U.S.  
 According to the above description, Sangamo BioSciences, Inc. is a large entity in the U.S.

Signature: Sean Brennan

Name: Sean Brennan  
Title: Associate Director, IP

Date: 10.23.01